

AMENDED IN ASSEMBLY APRIL 9, 2008

AMENDED IN ASSEMBLY APRIL 3, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 2212

Introduced by Assembly Member Ruskin

February 20, 2008

An act to amend Section 13.2 of, to add Sections 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, 7.11, and 7.12 to, and to repeal and add Sections 7, 7.1, 7.2, and 7.3 of, the Santa Clara Valley Water District Act (Chapter 1405 of the Statutes of 1951), relating to the Santa Clara Valley Water District.

LEGISLATIVE COUNSEL'S DIGEST

AB 2212, as amended, Ruskin. Santa Clara Valley Water District.

(1) Existing law, the Santa Clara Valley Water District Act, establishes the Santa Clara Valley Water District and specifies its powers and purposes relating to water supply and ~~floodgate~~ flood management. The act requires the board of the district to consist of 2 directors who are appointed and 5 directors who are elected in accordance with specified procedures.

This bill would repeal certain provisions of the act relating to the board of the district. The bill would revise the composition of the board of the district by requiring the board, on and after January 8, 2013, to consist of 7 directors who are elected from electoral districts established pursuant to specified requirements. By establishing requirements on the district, the bill would impose a state-mandated local program.

(2) Existing law authorizes the district to impose special taxes at minimum rates per land use category and size. Existing law authorizes

the district to provide an exemption from these taxes for residential parcels owned and occupied by one or more taxpayers who are at least 65 years of age and meet a specified total household income limit.

This bill would extend the exemption to an otherwise qualified taxpayer who qualifies as totally disabled under the Social Security Act.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7 of the Santa Clara Valley Water District
2 Act (Chapter 1405 of the Statutes of 1951), as amended by Section
3 2 of Chapter 279 of the Statutes of 2006, is repealed.

4 SEC. 2. Section 7 of the Santa Clara Valley Water District Act
5 (Chapter 1405 of the Statutes of 1951), as added by Section 3 of
6 Chapter 279 of the Statutes of 2006, is repealed.

7 SEC. 3. Section 7 is added to the Santa Clara Valley Water
8 District Act (Chapter 1405 of the Statutes of 1951), to read:

9 Sec. 7. Except as otherwise provided in this act, the individuals
10 who serve on the board of the Santa Clara Valley Water District
11 on December 31, 2007, in accordance with the Santa Clara Valley
12 Water District Act (Chapter 1405 of the Statutes of 1951, as
13 amended) shall continue to serve on the board of the district
14 established by this act.

15 SEC. 4. Section 7.1 of the Santa Clara Valley Water District
16 Act (Chapter 1405 of the Statutes of 1951), as amended by Section
17 17 of Chapter 906 of the Statutes of 1993, is repealed.

18 SEC. 5. Section 7.1 is added to the Santa Clara Valley Water
19 District Act (Chapter 1405 of the Statutes of 1951), to read:

20 Sec. 7.1. Until January 8, 2013, the board shall consist of the
21 following directors:

22 (a) Two directors who serve on the board of the Santa Clara
23 Valley Water District on December 31, 2007, pursuant to Section
24 7.2 of the Santa Clara Valley Water District Act (Chapter 1405 of

1 the Statutes of 1951, as amended by Section 4 of Chapter 279 of
2 the Statutes of 2006).

3 (b) Five directors who are elected pursuant to this act.

4 SEC. 6. Section 7.2 of the Santa Clara Valley Water District
5 Act (Chapter 1405 of the Statutes of 1951), as amended by Section
6 4 of Chapter 279 of the Statutes of 2006, is repealed.

7 SEC. 7. Section 7.2 is added to the Santa Clara Valley Water
8 District Act (Chapter 1405 of the Statutes of 1951), to read:

9 Sec. 7.2. (a) Except as otherwise provided by this act, each
10 elected director described in subdivision (b) of Section 7.1 shall
11 be nominated and elected by the electors of the supervisorial district
12 that he or she represents ~~at the time and in the manner provided~~
13 ~~by the county charter and the general laws of the state for the~~
14 ~~election of county supervisors; in accordance with the Uniform~~
15 ~~District Election Law (Part 4 (commencing with Section 10500)~~
16 ~~of Division 10 of the Elections Code).~~

17 (b) Except as otherwise provided by this act, the term of office
18 for each director described in subdivision (a) shall be four years
19 beginning on the first Monday in January following the election,
20 and the director shall hold office until his or her successor qualifies
21 and takes office.

22 SEC. 8. Section 7.3 of the Santa Clara Valley Water District
23 Act (Chapter 1405 of the Statutes of 1951), as amended by Section
24 5 of Chapter 279 of the Statutes of 2006, is repealed.

25 SEC. 9. Section 7.3 of the Santa Clara Valley Water District
26 Act (Chapter 1405 of the Statutes of 1951), as added by Section
27 6 of Chapter 279 of the Statutes of 2006, is repealed.

28 SEC. 10. Section 7.3 is added to the Santa Clara Valley Water
29 District Act (Chapter 1405 of the Statutes of 1951), to read:

30 Sec. 7.3. Elected directors described in subdivision (b) of
31 Section 7.1 from the first and fourth supervisorial districts who
32 are elected at the November 2, 2010, statewide general election
33 shall serve until noon on January 8, 2013.

34 SEC. 11. Section 7.4 is added to the Santa Clara Valley Water
35 District Act (Chapter 1405 of the Statutes of 1951), to read:

36 Sec. 7.4. Elected directors described in subdivision (b) of
37 Section 7.1 from the second, third, and fifth supervisorial districts
38 who are elected at the November 4, 2008, statewide general
39 election shall serve until noon on January 8, 2013.

SEC. 12. Section 7.5 is added to the Santa Clara Valley Water District Act (Chapter 1405 of the Statutes of 1951), to read:

Sec. 7.5. Appointed directors described in subdivision (a) of Section 7.1 shall serve until noon on January 8, 2013.

SEC. 13. Section 7.6 is added to the Santa Clara Valley Water District Act (Chapter 1405 of the Statutes of 1951), to read:

Sec. 7.6. (a) Notwithstanding any other provision of law, on or before November 1, 2011, the board shall adopt a resolution dividing the district into seven electoral districts, and assigning a number to each district.

(b) Using the 2010 decennial census as a basis, the electoral districts shall be as nearly equal in population as possible.

(c) In establishing the boundaries of the electoral districts, the board may give consideration to the topography, geography, cohesiveness, contiguity, integrity, and compactness of territory, and to the community of interests of the electoral districts.

SEC. 14. Section 7.7 is added to the Santa Clara Valley Water District Act (Chapter 1405 of the Statutes of 1951), to read:

Sec. 7.7. (a) (1) The first elections for the electoral districts established pursuant to Section 7.6 shall be conducted at the November 6, 2012, statewide general election.

(2) The directors elected pursuant to paragraph (1) shall take office at noon on January 8, 2013, and shall meet as soon as practicable thereafter to classify themselves by lot into two classes, one with four members and one with three members. The initial terms of office of the class having the greater number of members shall be four years, and the initial terms of office of the class having the fewer number shall be two years.

(b) Elections for the electoral districts established pursuant to Section 7.6 shall be conducted in accordance with the Uniform District Election Law (Part 4 (commencing with Section 10500) of Division 10 of the Elections Code).

(c) (1) One director shall be elected in accordance with this section by the voters of each electoral district.

(2) A candidate for the board of directors shall be a resident in the electoral district for which he or she is a candidate.

(3) A director shall continue to reside within that district during his or her term of office, except that no change in boundaries of an electoral district shall affect the term of office of any director.

1 (d) The directors elected pursuant to this section shall exercise
2 their independent judgment on behalf of the interests of the entire
3 district, including the residents, property owners, and the public
4 as a whole in furthering the purposes and intent of this act.

5 (e) Except as provided in paragraph (2) of subdivision (a), the
6 term of office for a director elected pursuant to this section is four
7 years or until his or her successor qualifies and takes office.

8 (f) Notwithstanding any other provision of law, the directors
9 elected pursuant to this section shall take office at noon on the first
10 Tuesday in January following the election.

11 SEC. 15. Section 7.8 is added to the Santa Clara Valley Water
12 District Act (Chapter 1405 of the Statutes of 1951), to read:

13 Sec. 7.8. A vacancy in the office of any director shall be filled
14 pursuant to Section 1780 of the Government Code.

15 SEC. 16. Section 7.9 is added to the Santa Clara Valley Water
16 District Act (Chapter 1405 of the Statutes of 1951), to read:

17 Sec. 7.9. Any director may be recalled by the voters pursuant
18 to Chapter 1 (commencing with Section 11000) of Division 11 of
19 the Elections Code.

20 SEC. 17. Section 7.10 is added to the Santa Clara Valley Water
21 District Act (Chapter 1405 of the Statutes of 1951), to read:

22 Sec. 7.10. The board shall review the boundaries of the seven
23 electoral districts established pursuant to Section 7.6 before
24 November 1 of the year following the year in which each decennial
25 census is taken. The boundaries shall be adjusted if needed in
26 accordance with Section 22000 of the Elections Code so that each
27 electoral district is as nearly equal in population to the others as
28 possible. In making the adjustments, the board may give
29 consideration to the factors described in subdivision (c) of Section
30 7.6.

31 SEC. 18. Section 7.11 is added to the Santa Clara Valley Water
32 District Act (Chapter 1405 of the Statutes of 1951), to read:

33 Sec. 7.11. (a) The board, in accordance with Chapter 2
34 (commencing with Section 20200) of Division 10 of the Water
35 Code, may authorize each director to receive compensation for
36 attendance at meetings of the board and committees and for other
37 services rendered as a director.

38 (b) Reimbursement for expenses incurred by directors is subject
39 to Sections 53232.2 and 53232.3 of the Government Code.

SEC. 19. Section 7.12 is added to the Santa Clara Valley Water District Act (Chapter 1405 of the Statutes of 1951), to read:

Sec. 7.12. The board, by resolution, may establish advisory boards, committees, or commissions that in its judgment will serve the best interests of the district. The board may assign duties consistent with this act. The board shall specify in the resolution the composition of an advisory board, committee, or commission and each board, committee, or commission shall have at least three members. Members shall serve at the pleasure of the board. The board shall establish at least one advisory committee devoted to agricultural water use on which farmers serve.

SEC. 20. Section 13.2 of the Santa Clara Valley Water District Act (Chapter 1405 of the Statutes of 1951) is amended to read:

Sec. 13.2. For the purposes of levying special taxes pursuant to paragraph (2) of Section 13, the district may impose special taxes in accordance with Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code at minimum uniform rates per land use category and size. The district may provide an exemption from these taxes for residential parcels owned and occupied by one or more taxpayers who are at least 65 years of age, or who qualify as totally disabled under the Social Security Act, if the total household income is less than an amount that is approved by the voters of the district.

SEC. 21. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district are the result of a program for which legislative authority was requested by that local agency or school district, within the meaning of Section 17556 of the Government Code and Section 6 of Article XIII B of the California Constitution.